

# Daily Digest

## HIGHLIGHTS

Senate convicted Judge G. Thomas Porteous, Jr. of High Crimes and Misdemeanors.

## Senate

### Chamber Action

*Routine Proceedings, pages S8607–S8658*

**Measures Introduced:** Three bills and one resolution were introduced, as follows: S. 4015–4017, and S. Res. 697. **Page S8641**

#### Measures Reported:

S. 3648, to establish a commission to conduct a study and provide recommendations on a comprehensive resolution of impacts caused to certain Indian tribes by the Pick-Sloan Program, with an amendment in the nature of a substitute. (S. Rept. No. 111–357)

S. 4016, to amend the Federal Water Pollution Control Act to establish within the Environmental Protection Agency a Columbia Basin Restoration Program. (S. Rept. No. 111–358)

S. 2902, to improve the Federal Acquisition Institute, with an amendment in the nature of a substitute. **Page S8641**

#### Measures Passed:

**Taxpayer Assistance Act:** Committee on Finance was discharged from further consideration of H.R. 4994, to extend certain expiring provisions of the Medicare and Medicaid programs, and the bill was then passed, after agreeing to the following amendments proposed thereto: **Pages S8631–34**

Bennet (for Reid) Amendment No. 4742, in the nature of a substitute. **Pages S8631–34**

Bennet (for Reid) Amendment No. 4743, to amend the title. **Pages S8631–34**

**Regulated Investment Company Modernization Act:** Senate passed H.R. 4337, to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, after agreeing to the following amendment proposed thereto:

**Page S8651**

Reid (for Bingaman) Amendment No. 4744, in the nature of a substitute. **Page S8651**

**Census Oversight Efficiency and Management Reform Act:** Senate passed S. 3167, to amend title 13 of the United States Code to provide for a 5-year term of office for the Director of the Census and to provide for the authority and duties of the Director and Deputy Director of the Census, after agreeing to the committee amendments, and the following amendment proposed thereto: **Pages S8651–54**

Reid (for Carper) Amendment No. 4745, to provide for the establishment of a technology advisory committee and to strike the requirement that the Director of the Census submit a budget request each year to the Secretary of Commerce for inclusion in the President's budget request for that year. **Pages S8653–54**

**National Alzheimer's Project Act:** Senate passed S. 3036, to establish the National Alzheimer's Project, after agreeing to the committee amendment in the nature of a substitute. **Pages S8654–55**

**15th Anniversary of the Dayton Peace Accords:** Senate agreed to S. Res. 697, recognizing the 15th anniversary of the Dayton Peace Accords. **Page S8655**

#### Measures Considered:

**Impeachment of Judge G. Thomas Porteous, Jr.:** Senate, sitting as a Court of Impeachment, continued consideration of the articles of impeachment against Judge G. Thomas Porteous, Jr. of the Eastern District of Louisiana, taking the following action: **Page S8607**

By a unanimous vote of 94 nays (Vote No. 260), Senate rejected the motion that notwithstanding Impeachment Rule XXIII, the Senate shall disaggregate the articles of impeachment by holding preliminary votes on individual allegations in the articles. **Page S8608**

On this article of impeachment, 96 Senators having voted guilty, 0 Senators having voted not guilty (Vote No. 261), two-thirds of the Senators present

having voted guilty, the verdict on Article I (improperly denied a motion to recuse based on corrupt financial relationship) is guilty. **Pages S8608–09**

On this article of impeachment, 69 Senators having voted guilty, 27 Senators having voted not guilty (Vote No. 262), two-thirds of the Senators having voted guilty, the verdict on Article II (alleges a pattern of corrupt conduct based on improper structuring of bail bonds) is guilty. **Page S8609**

On this article of impeachment, 88 Senators having voted guilty, 8 Senators having voted not guilty (Vote No. 263), two-thirds of the Senators having voted guilty, the verdict on Article III (intentionally made material false statements in a personal bankruptcy filing) is guilty. **Pages S8609–10**

On this article of impeachment, 90 Senators having voted guilty, 6 Senators having voted not guilty (Vote No. 264), two-thirds of the Senators having voted guilty, the verdict on Article IV (knowingly made false statements to the Senate and FBI during his confirmation process) is guilty. **Page S8610**

By 94 yeas to 2 nays (Vote No. 265), Senate agreed to the motion to forever disqualify Judge G. Thomas Porteous, Jr. of the Eastern District of Louisiana, to hold and enjoy any office of honor, trust, or profit under the United States. **Pages S8610–11**

The Senate having tried G. Thomas Porteous, Jr., U.S. District Judge for the Eastern District of Louisiana, upon four articles of impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present having found him guilty of the charges contained in Articles I, II, III, and IV of the articles of impeachment: it is, therefore, ordered and adjudged that the said G. Thomas Porteous, Jr., be, and is hereby, removed from office; and that he be, and he is hereby, forever disqualified to hold and enjoy any office or honor, trust, or profit under the United States. **Pages S8610–11**

Ordered, that the Secretary be directed to communicate to the Secretary of State, as provided by rule XXIII of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, and also to the House of Representatives, the judgment of the Senate in the case of G. Thomas Porteous, Jr., and transmit a certified copy of the judgment to each. **Page S8610**

Subsequently, Senate, sitting as Court of Impeachment, adjourned sine die. **Page S8610**

A unanimous-consent agreement was reached providing that Senators may be permitted, within 7 days from Wednesday, December 8, 2010, to have printed in the *Congressional Record* opinions or statements explaining their votes and that the Secretary be authorized to include these statements, along with the record of the Senate's proceedings, in a Senate document printed to complete the documenta-

tion of the Senate's handling of these impeachment proceedings. **Page S8608**

**Public Safety Employer-Employee Cooperation Act:** Senate resumed consideration of the motion to proceed to consideration of S. 3991, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions. **Pages S8613–17, S8617–27**

During consideration of this measure today, Senate also took the following action:

By 55 yeas to 43 nays (Vote No. 266), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S8626–27**

**Emergency Senior Citizens Relief Act:** Senate resumed consideration of the motion to proceed to consideration of S. 3985, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions. **Pages S8627–28**

During consideration of this measure today, Senate also took the following action:

By 53 yeas to 45 nays (Vote No. 267), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S8627–28**

#### **Appointments:**

**United States-China Economic Security Review Commission:** The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, and upon the recommendation of the Republican Leader, in consultation with the Ranking Members of the Senate Committee on Armed Services and the Senate Committee on Finance, reappointed the following individuals to the United States-China Economic Security Review Commission:

Robin Cleveland of Virginia for a term expiring December 31, 2012, and Dennis C. Shea of Virginia for a term expiring December 31, 2012. **Page S8655**

**United States-China Economic Security Review Commission:** The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, and upon the recommendation of the Majority Leader, in consultation with the Chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appointed the following individual to the United States-China Economic Security Review Commission:

C. Richard D'Amato of Maryland for a term beginning January 1, 2011, and expiring December 31, 2012, vice Peter Videnieks of Virginia.

**Pages S8655–56**

A unanimous-consent-time agreement was reached providing that the cloture vote on the motion to proceed to consideration of S. 3992, Development, Relief, and Education for Alien Minors Act, occur at 11 a.m., on Thursday, December 9, 2010, with the time following any Leader time, until 11 a.m., equally divided and controlled between the two Leaders, or their designees; that following any Leader statement, Senator Durbin be recognized for up to 10 minutes; Senate then resume the motion to proceed to consideration of S. 3992; that during Thursday's session, Senator Bennett be recognized, after any votes Thursday morning, to speak for up to 20 minutes for his farewell speech, and that Senator Dorgan be recognized at 2 p.m., for up to 20 minutes for his farewell speech; and also that Senator Bunning be recognized at 1 p.m., for up to 30 minutes for his farewell speech.

**Page S8651**

**Retiring Members Tributes—Agreement:** A unanimous-consent agreement was reached providing that there be printed as a Senate document a compilation of materials from the *Congressional Record* in the tribute to retiring members of the 111th Congress, and that members have until Thursday, December 16, 2010, to submit such tributes.

**Page S8655**

**Nominations Received:** Senate received the following nominations:

Albert J. Beveridge III, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Constance M. Carroll, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

Cathy M. Davidson, of North Carolina, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

41 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Marine Corps, and Navy.

**Pages S8656–58**

**Messages from the House:** **Page S8639**

**Measures Referred:** **Page S8639**

**Executive Communications:** **Pages S8639–41**

**Executive Reports of Committees:** **Page S8641**

**Additional Cosponsors:** **Pages S8641–42**

**Statements on Introduced Bills/Resolutions:**  
**Page S8642**

**Additional Statements:** **Pages S8638–39**

**Amendments Submitted:** **Pages S8642–51**

**Authorities for Committees to Meet:** **Page S8651**

**Quorum Calls:** One quorum call was taken today. (Total—8) **Pages S8607–08**

**Record Votes:** Eight record votes were taken today. (Total—267) **Pages S8608–11, S8626–28**

**Adjournment:** Senate convened at 9:31 a.m. and adjourned at 7:09 p.m., until 9:30 a.m. on Thursday, December 9, 2010. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8656.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

**Committee on Armed Services:** Committee announced the following subcommittee assignments:

**Subcommittee on AirLand:** Senators Lieberman (Chair), Bayh, Webb, McCaskill, Hagan, Begich, Coons, Thune, Inhofe, Sessions, Chambliss, Brown (MA), and Burr.

**Subcommittee on Emerging Threats and Capabilities:** Senators Nelson (FL) (Chair), Reed, Nelson (NE), Bayh, Udall (CO), Bingaman, Manchin, Coons, LeMieux, Graham, Wicker, Brown (MA), Burr, Collins, and Kirk.

**Subcommittee on Personnel:** Senators Webb (Chair), Lieberman, Akaka, Nelson (NE), McCaskill, Hagan, Begich, Bingaman, Graham, Chambliss, Thune, Wicker, LeMieux, Vitter, and Collins.

**Subcommittee on Readiness and Management Support:** Senators Bayh (Chair), Akaka, McCaskill, Udall (CO), Manchin, Burr, Inhofe, Chambliss, and Thune.

**Subcommittee on Seapower:** Senators Reed (Chair), Lieberman, Akaka, Nelson (FL), Webb, Hagan, Coons, Wicker, Sessions, LeMieux, Vitter, Collins, and Kirk.

**Subcommittee on Strategic Forces:** Senators Nelson (NE) (Chair), Reed, Nelson (FL), Udall (CO), Begich, Bingaman, Manchin, Vitter, Sessions, Inhofe, Graham, Brown (MA), and Kirk.

*Senators Levin and McCain serve as ex-officio members of all subcommittees.*

### U.S. CAPITAL MARKETS

**Committee on Banking, Housing, and Urban Affairs:** Subcommittee on Securities, Insurance and Investment with the Committee on Homeland Security and Government Affairs Permanent Subcommittee on Investigations concluded joint hearings to examine the efficiency, stability, and integrity of the United States capital markets, after receiving testimony from Mary L. Schapiro, Chairman, United